

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

CLAUDIA GARCIA	§	
	§	
Plaintiff,	§	Civil Action No. 3:06-CV-01936-D
v.	§	(Consolidated with
	§	Civil Action No. 3:06-CV-01937-D,
BOYAR & MILLER, PC; CAFÉ EXPRESS,	§	Civil Action No. 3:06-CV-01938-D,
LLC; WENDY’S INTERNATIONAL, INC.;	§	Civil Action No. 3:06-CV-01939-D
AUGUSTA FOODS, LLC; JAY WILLIAM	§	Civil Action No. 3:06-CV-02177-D
BOYAR; DAVID M. BOND; GARY W.	§	Civil Action No. 3:06-CV-02206-D
MILLER; TIMOTHY J. HEINRICH;	§	Civil Action No. 3:06-CV-02236-D
STEVEN D. KESTEN; STEPHEN L.	§	Civil Action No. 3:06-CV-02241-D
JOHNSON; TRENT L. ROSENTHAL; LEE	§	Civil Action No. 3:06-CV-00984-D)
A. COLLINS; CHRIS HANSLICK; E.	§	and,
MICHELLE BOHREER; and BAKER,	§	Civil Action No. 4:06-CV-03374
DONELSON, BEARMAN, CALDWELL &	§	(originally removed to the Southern
BEARKOWITZ, P.C.	§	District of Texas)
	§	
Defendants.	§	ECF
	§	

**STIPULATION OF DISMISSAL – CAFÉ EXPRESS, LLC
AND WENDY’S INTERNATIONAL, INC.**

TO THE HONORABLE JUDGE:

COMES NOW, all Plaintiffs in these consolidated cases and Defendants Café Express, LLC and Wendy’s International, Inc. and file this stipulation of dismissal under Federal Rule of Civil Procedure 41(a)(1)(A)(ii) asking the Court to dismiss Defendants Café Express, LLC and Wendy’s International, Inc. ONLY, reserving all rights to all non-settling parties.

1. Plaintiffs reached a confidential settlement agreement with Defendants Café Express, LLC and Wendy’s International, Inc. Plaintiffs move to dismiss this suit with prejudice against Defendants Café Express, LLC and Wendy’s International, Inc.

2. Defendants Café Express, LLC and Wendy's International, Inc. agree to the dismissal.
3. This dismissal is with prejudice to refilling.
4. Plaintiffs shall not recover any costs from Café Express, LLC and Wendy's International, Inc. Café Express, LLC and Wendy's International Inc. shall not recover any costs from plaintiffs.

Respectfully submitted,

s/Stan Broome

Stanley D. Broome

State Bar No. 24029457

Matthew W. Bobo

State Bar No. 24006860

BROOME BOBO LLP

105 Decker Court, Ste. 850

Irving, Texas 75062

(214) 574-7500 (Telephone)

(214) 574-7501 (Facsimile)

Jaime Barron

State Bar No. 24009889

Jaime Barron, P.C.

5415 Maple Avenue, Suite 114

Dallas, Texas 75235

(214) 267-9300 (Telephone)

(214) 267-9302 (Facsimile)

ATTORNEYS FOR THE PLAINTIFFS

s/William Church

William Church

Akin, Gump, Strauss, Hauer & Feld, LLP

1700 Pacific Avenue, Suite 4100

Dallas, Texas 75201-4675

**ATTORNEYS FOR THE DEFENDANTS CAFÉ
EXPRESS, LLC AND WENDY'S
INTERNATIONAL, INC.**

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing *Stipulation of Dismissal* has been served on counsel through the ECF system and/or certified mail, return receipt requested, in accordance with the Rules of Civil Procedure as set forth below, on this 27th day of March, 2008.

William D. Cobb, Jr.

COBB MARTINEZ WOODWARD PLLC
1700 Pacific Avenue, Suite 4545
Dallas, Texas 75201
wcobb@cobbmartinez.com

Stephen R. Bailey

CRUSE, SCOTT, HENDERSON & ALLEN, LLP
2777 Allen Parkway, 7th Floor
Houston, Texas 77019
sbailey@crusescott.com

Karri J. Webb-Oldham

LYMAN, TWINING, WEINBERG & FERRELL, P.C.
1221 McKinney, 3600 One Houston Center
Houston, Texas 77010
kwebb@lymanlaw.com

s/Stan Broome
Stanley D. Broome